

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

MICHAEL THOMAS MATTERN,

Plaintiff,

Defendant.

Case No. 2:20-CR-0096-RMP-1
CRIMINAL MINUTES

DATE: JUNE 2, 2021**LOCATION: SPOKANE****SENTENCING HEARING**

Hon. Rosanna Malouf Peterson		
Penny Lamb Courtroom Deputy	LC1 Law Clerk	Allison Anderson Court Reporter
David M. Herzog Government Counsel		Richard L. Mount Defense Counsel
United States Probation Officer: Cassie Lerch (via telephone)		

☒ **Open Court**☐ **Chambers**☒ **Telecon**

Defendant present not in custody of United States Marshal with appointed counsel.

The Court has reviewed all of the documents, including the Government's motion. Court also confirmed with Defendant that he has reviewed all of the same documents which include the PSR, the Addendum, the Government's motion, and the defense Notice of Review of the Draft of the PSR, as well as the sentencing memorandums. There are no objections to the PSR. The Court accepted the Presentence Investigation Report.

Mr. Mount addressed the Court and advised that there are numerous family members present today, along with members of Defendant's Narcotics Anonymous family. Mr. Mount gave his recommendations for resolution of the matter. The Court queried Mr. Mount about a pretrial matter involving Mr. Mattern being at a bar. Mr. Mount responded to the Court's inquiry. Mr. Herzog addressed the Court with his recommendation for resolution of the matter. Mr. Mount addressed the Court and asked if the Defendant's family could speak in support of Defendant. Defendant's sister Erica Kristine Jackson, Defendant's father, Thomas Francis Mattern, and Defendant's mother, Sylvia Louise Mattern, all addressed the Court in turn and spoke in support of Defendant. Mr. Mount addressed the Court and presented his closing statements. Defendant addressed the Court.

The Court ordered the following:

Imprisonment:

2 Months with credit for time served

Supervised Release:Life with standard conditions **plus special conditions:**

- Up to 6 months of home confinement with location monitoring
- 300 hours of community service
- Mental health evaluation and treatment/counseling, if recommended
- Substance abuse evaluation and treatment/counseling, if recommended
- Search of person, vehicle and residence
- Abstain from controlled substances, including marijuana; Probation Officer is authorized to order up to 6 UAs

CONVENED: 10:00 A.M.	ADJOURNED: 11:37 A.M.	TIME: 1:37 HR.	CALENDARED [N/A]
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- Do not enter any establishment whose primary item of sale is alcohol; abstain from alcohol; Probation Officer authorized to order up to 6 UAs and/or BAs

Fine: Waived

Special Assessment: \$100 – Inmate Financial Responsibility Program

The Court ordered Defendant to self-surrender to the Bureau of Prisons. Mr. Herzog suggested that Defendant self-report to the Marshals. Mr. Herzog moved to dismiss Counts 3, 4 and 5 of the Indictment, and the Court granted the motion and dismissed Counts 3, 4, and 5 with prejudice. Mr. Mount asked the Court to make a recommendation to the BOP for a placement in the Pacific Northwest and that Sea-Tac would be a good choice. Mr. Mount also asked the Court to give Defendant credit for time served for the three days Defendant spent in custody. The Court advised that the Bureau of Prisons should give credit for time served.